

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Wilkerson et al.) Art Unit: **3629**
)
Serial No.: **10/715,303**) Examiner: **Plucinski, J.**
)
Filed: **November 17, 2003**) W&K Matter No.: **10046.0001US01**

For: **VALUE INNOVATION MANAGEMENT SYSTEM AND METHODS**

RESPONSE TO ELECTION OF SPECIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed on June 18, 2008, Applicants request further examination and reconsideration of the proposed election of species in light of the following remarks.

REMARKS

Claims 1-20 are pending in the present application. Claims 1-20 are subject to an election of species requirement.

The June 18, 2008 Office Action separates claims 1-20 into two separate groups:

Group I, Claims 1-16, directed to one independent and distinct species described in the specification as the first aspect (i.e., Species A); and

Group II, Claims 17-20 directed to another independent and distinct species, described in the specification as the second aspect (i.e., Species B).

Applicants respectfully submit that the search and examination associated with the two groups of claims above is not unduly burdensome on Examiner Plucinski. As stated

I hereby certify that this correspondence is being electronically transmitted to the United States Patent & Trademark Office (USPTO) using the USPTO's e-filing procedure on July 15, 2008.

/James D. Withers/

James D. Withers - Reg. No. 40,376

RESPONSE TO AN ELECTION OF SPECIES
Serial No. 10/715,303

in the MPEP, §803, "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent and distinct inventions." For at least this reason, Applicants respectfully submit that the election of species requirement should be withdrawn.

If Examiner Plucinski maintains the present election of species requirement, Applicants elect, **with traverse**, the claims directed to species A, namely, claims 1-16, with claims 1-4 and 8-10 being generic.

For at least the reasons given above, Applicants respectfully request withdrawal of the election of species requirement and continued consideration of claims 1-20.

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 503025.

Should Examiner Plucinski believe that anything further is necessary to place the application in better condition for allowance, Examiner Plucinski is respectfully requested to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,
WITHERS & KEYS, LLC

/James D. Withers/

By: James D. Withers
Reg. No. 40,376

WITHERS & KEYS, LLC
235 Bryan Street
McDonough, Georgia 30253
678-565-4748

W&K Matter No.: 10046.0001US01